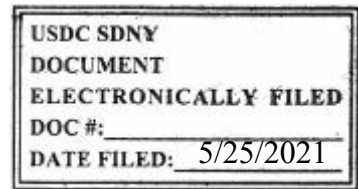


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



Colony Capital, Inc.,

Plaintiff,

—v—

James F. Flaherty, III,

Defendant.

21-cv-4645 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

Colony Capital, Inc. (“CLNY”) has filed a motion for a proposed order to show cause why a preliminary injunction should not issue preventing James F. Flaherty, III, from proceeding with an arbitration scheduled for June 14, 2021. CLNY has not shown good cause to proceed ex parte, and the Court construes its motion as a motion for a preliminary injunction and for expedited briefing. *See* Fed. R. Civ. P. 65(b)(1).

It is therefore ORDERED that CLNY shall serve a copy of its complaint, its motion papers, and this Order on Flaherty today, May 25, 2021.

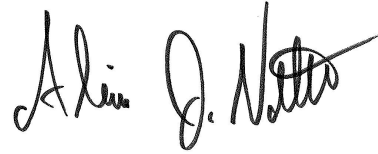
It is further ORDERED that the parties shall confer on a briefing schedule. The parties shall file a joint letter with a proposed briefing schedule by May 26, 2021. Their joint letter shall also state whether the parties request an evidentiary hearing or seek disposition of CLNY’s motion on the papers and oral argument, should the Court require it.

In an affidavit dated May 24, 2021, in support of CLNY’s Order to Show Cause, Mr. Eric Amdursky represents to this Court that “CLNY brings this request via an order to show cause as opposed to via noticed motion because the arbitration is scheduled for June 14, 2021, and there is not sufficient time to permit full briefing and hearing on a noticed motion.” Dkt. No. 9 ¶13. It is

further ORDERED that CLNY shall docket a letter today, May 25, 2021, stating when it learned that JAMS scheduled an arbitration in this matter to begin on June 14, 2021.

SO ORDERED.

Dated: May 25, 2021
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", written in a cursive style.

ALISON J. NATHAN
United States District Judge